

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASE NO. 05-10088MBB

JULIANNE MARIE EVANS,

Plaintiff,

v.

Motion to Withdraw

NANTUCKET COMMUNITY
SAILING, INC., a Massachusetts corporation,
RONAN O'SICOHRU and DONNCHA
KIELY,

Defendants.

Undersigned counsel file this, their file motion to withdraw as plaintiff's counsel pursuant to Local Rule 83.5.2 (c) and state the following:

1. Undersigned counsels' services have been terminated by the plaintiff by letter dated April 11, 2006 (Exhibit "A").
2. Attorneys David Angueira and Edward Swartz filed notices of appearance on behalf of the plaintiff on April 12, 2006, which are docket entries 47 and 48.
3. There is a status conference scheduled on April 20, 2006. Therefore, pursuant to Local Rule 83.5.2, leave of court to withdraw is required.

WHEREFORE, the undersigned respectfully request that the court allow them to withdraw as counsel for the plaintiff, be excused from the April 20, 2006 status conference and relieved of any further responsibilities in this case.

Respectfully submitted,

/s/ Steven D. Miller
Steven D. Miller, Esq.
817 S. University Drive, Suite 122
Plantation, Florida 33324
(954) 472-0776
(954) 472-0875 (fax)
Florida Bar No. 508187
B.B.O. # 560862

/s/ Jeffrey A. Miller (sdm)

Jeffrey A. Miller, Esq.
2424 N. Federal Highway, Suite 314
Boca Raton, Florida 33431
(561) 392-4300
(561) 347-7588 (fax)
Florida Bar No. 308358

/s/Richard A. Gargiulo (sdm)

Richard A. Gargiulo, Esq.
B.B.O. #185680
66 Long Wharf
Boston, MA 02110
(617) 742-3833
(617) 523-7834 (fax)

/s/ Constance L. Rudnick (sdm)

Constance L. Rudnick, Esq.
B.B.O. #433500
66 Long Wharf
Boston, MA 02110
(617) 742-3833
(617) 523-7834 (fax)

/s/ Marielise Kelly (sdm)

Marielise Kelly, Esq.
B.B.O. #559595
66 Long Wharf
Boston, MA 02110
(617) 742-3833
(617) 523-7834 (fax)

Local Rule 7.1 Certificate

I have conferred with counsel for the defendants, Thomas Muzyka, Esq., who has no objection to the granting of this motion and advised that he will be filing a response regarding the issue of the Dr. Mann costs.

/s/ Steven D. Miller

Steven D. Miller, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served electronically through ECF on Thomas J. Muzyka, Esq., One Washington Mall, Suite 1400, Boston, Massachusetts 02108, David Angueira, Esq. and Edward Swartz, Esq., Number 10 Marshall Street, Boston, MA 02108.

Dated: April 13, 2006

/s/Steven D. Miller
Steven D. Miller, Esq.

04/12/2006 12:18 FAX 16173677193

SWARTZ & SWARTZ

003/003

04/11/2006 20:11 248-373-1885

COURTYARD AUB HLS

PAGE 03/03

04/11/2006 13:40 FAX 16173677193

SWARTZ & SWARTZ

008/008

April 11, 2006

Steven D. Miller, Esq.
817 S. University Dr., Suite 122
Plantation, FL 33324

Jeffrey A. Miller, Esq.
2424 N. Federal Highway, Suite 314
Boca Raton, FL 33431

Gargiulo, Rudnick & Gargiulo
66 Long Wharf
Boston, MA 02110

RE: Evans v. Nantucket Community Sailing, Inc.

Sirs:

Please be advised that I have decided to discharge you as my attorneys. Please forward a copy of my entire file to my new attorneys:

Swartz & Swartz
10 Marshall Street
Boston, MA 02108

Att: Alan L. Cantor, Esq.

I specifically request that you refrain from any further contact with me. All communications should be to my new attorneys. Swartz & Swartz will be entering their appearance in my case. When they request you to do so please file your withdrawals forthwith.

Very truly yours,


Julianne Evans

"A"